



3510-16-P

## **DEPARTMENT OF COMMERCE**

### **United States Patent and Trademark Office**

#### **Submission for OMB Review; comment request; “Patent Reexaminations and Supplemental Examinations”**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* United States Patent and Trademark Office, Commerce

*Title:* Patent Reexaminations and Supplemental Examinations

*OMB Control Number:* 0651-0064

*Form Number(s):*

- PTO/SB/57
- PTO/SB/59

*Type of Request:* Regular

*Number of Respondents:* 4,170 responses per year.

*Average Hours Per Response:* The USPTO estimates that it will take the public, on average, 27.65 hours to complete the various instruments in this collection (from 0.30 hours [18 minutes] to 55 hours, depending on the instrument used).

*Burden Hours:* 95,290 hours.

*Cost Burden:* \$929.80

*Needs and Uses:*

The United States Patent and Trademark Office (USPTO) is required by 35 U.S.C. 131 and 151 to examine applications and, when appropriate, allow applications and issue them as patents. Chapter 30 of Title 35 U.S.C. provides that any person at any time may file a request for reexamination by the USPTO of any claim of a patent on the basis of prior art patents or printed publications. Once initiated, the reexamination proceedings under Chapter 30 are substantially *ex parte* and do not permit input from third parties. The rules outlining *ex parte* reexaminations are found at 37 CFR 1.510-1.570. 35 U.S.C. 257 permits a patent owner to request supplemental examination of a patent by the USPTO to consider, reconsider, or correct information believed to be relevant to the patent. The rules outlining supplemental examination are found at 37 CFR 1.601-1.625.

The public uses this information collection to request *ex parte* reexamination and supplemental examination, to prosecute reexamination proceedings, and to ensure that the associated documentation is submitted to the USPTO.

*Affected Public:* Individuals or households; businesses or other for-profits; and not-for-profit institutions.

*Frequency:* On occasion.

*Respondent's Obligation:* Required to Obtain or Retain Benefits

*OMB Desk Officer:* Nicholas A. Fraser, e-mail: [Nicholas\\_A.\\_Fraser@omb.eop.gov](mailto:Nicholas_A._Fraser@omb.eop.gov).

Once submitted, the request will be publicly available in electronic format through [reginfo.gov](http://reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Further information can be obtained by:

- E-mail: [InformationCollection@uspto.gov](mailto:InformationCollection@uspto.gov). Include "0651-0064 copy request" in the subject line of the message.
- Mail: Marcie Lovett, Records Management Division Director, Office of the Chief Information Officer, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Written comments and recommendations for the proposed information collection should be sent on or before **[INSERT DATE 30 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER]** to Nicholas A. Fraser, OMB Desk Officer, via e-mail to [Nicholas\\_A.\\_Fraser@omb.eop.gov](mailto:Nicholas_A._Fraser@omb.eop.gov), or by fax to 202-395-5167, marked to the attention of Nicholas A. Fraser.

Dated: June 25, 2015.

Marcie Lovett,

Records Management Division Director,

USPTO,

Office of the Chief Information Officer.

**BILLING CODE 3510-16-P**

**[FR Doc. 2015-16294 Filed: 7/1/2015 08:45 am; Publication Date: 7/2/2015]**